

SEPTIC TANK PUMPER ADVISORY COMMITTEE
May 12, 2004

Attendees: Jerry Bennett - *JMF Services*; Conrad Eckert - *Eckert's Services*; Gary D. Turney - *Gary's Septic Services*; Brian Tatman - *Heavy Water Haulers*; Bob Burtchett - *Hill County Septic*; Don Heimbigner - *Don's Septic Service*; Wade Stout, Nancy Stout – *Badger Pass Septic Service*; Mike Byrnes – *Superior Septic Service, Inc.*; Fuzz Corsner – *Lincoln Sewer District*; Jamie Hillman – *Jim's Backhoe & Septic Service*; Ross Knapper – *Gallatin County Sanitarian*; Vince Hoff – *A-1 Septic Services*; Jim Carpenter – *Carp's Inc.*; Steve Kunkel – *Montana Septic*; Senator Jim Elliot – Trout Creek; John Clark – *Scenic City Pumping*; Bruce Wood – *Big Sky Septic*; Laura Mullen – *Lewis & Clark Sanitarian*; Bob McWilliams – *Beaverhead County*; Gary Baxter – *Yellowstone Rental & Sports*; Chuck and Susan Bashor – *Sweet Pea, Inc.*; Ed Thamke, Rick Thompson, George Scriba, Mary Louise Hendrickson – *MT DEQ*.

Call to order: Rick Thompson, Section Supervisor – Solid Waste Program

The Department met with interested licensed septic tank pumpers to discuss the creation of a Septic Tank Pumper (STP) Advisory Committee (Committee). The meeting was called to order by Rick Thompson, Solid Waste Section Supervisor. The Committee will serve to provide feedback to the Department on STP rule-making issues. During the first meeting, committee members were selected by and from those present. The State was divided into seven (7) sectors and one primary representative from each sector was selected to serve on the Committee. In addition, a secondary representative was selected from each sector that would represent the sector in the event the primary representative was unable to attend. Each representative will gather feedback and disseminate information to/from the licensed pumpers located within the sector they represent to the Committee.

Rick Thompson advised that the Committee convene on a regular schedule, conduct meetings in accordance with Roberts Rules, and develop a mission statement for the Committee. The regional and alternate representatives were chosen as follows:

Region 1 Primary representative – Brian Tatman, Heavy Water Haulers
Representing the following counties: *Phillips, Daniels, Valley, Sheridan, Roosevelt, Richland, McCone, Garfield, Petroleum, Dawson*

Region 2 Primary representative– Brian Tatman, Heavy Water Haulers
Representing the following counties: *Prairie, Wibaux, Fallon, Carter, Custer, Powder River, Rosebud, Treasure, Big Horn*

Region 3 Primary representative – Jamie Hillman, Jim's Backhoe & Septic Service
Representing the following counties: *Wheatland, Golden Valley, Musselshell, Yellowstone, Stillwater, Sweet Grass, Park, Carbon*

Region 4 Primary representative – John Clark, Scenic City Pumping

Region 4 Alternate – Wade Stout, Badger Pass Septic Service

Representing the following counties: *Deer Lodge, Silver Bow, Jefferson, Beaverhead, Madison, Gallatin*

Region 5 Primary representative – Conrad Eckert, Eckert's Services

Region 5 Alternate – Susan Bashor, Sweet Pea's Inc.

Representing the following counties: *Lincoln, Flathead, Sanders, Lake, Missoula, Mineral, Granite, Ravalli*

Region 6 Primary representative – Steve Kunkel, Montana Septic

Region 6 Alternate – Don Heimbigner, Don's Septic

Representing the following counties: *Glacier, Toole, Liberty, Hill, Blaine, Chouteau, Pondera, Teton*

Region 7 Primary representative – Vince Hoff, A-1 Septic Services

Region 7 Alternate – Gary Turney, Gary's Septic Service

Representing the following counties: *Powell, Lewis & Clark, Cascade, Broadwater, Judith Basin, Meagher, Fergus*

Board Chairman – Mike Byrnes, Superior Septic Service

Sanitarian Representative – Ross Knapper, Gallatin County

DEQ Representative/Secretary Marylouise Hendrickson, DEQ Solid Waste Program

A discussion of the meeting format and rules was held by the Committee members.

Meeting discussions will proceed in a region by region format with all regional issues discussed before proceeding to the next region's issues. Agenda items will include the following elements:

- Adoption of previous meeting minutes
- Address issues from previous meetings
- Identify new issues for upcoming meetings

All issues will remain on Committee agenda until resolved. New items can be placed on the agenda after meetings by contacting Chairman and Secretary. Quarterly meetings will be held.

The Committee then discussed issues related to current proposed STP rule revisions. The following comments were made:

Motion: A motion was made to revise the language in **ARM 17.50.803(h)** to indicate "spreading and/or screening equipment". The motion was seconded and passed. The Committee proposes that the language be revised to include the word "or".

Motion: A motion was made to strike **ARM 17.50.809(16)**. The motion was seconded and passed. The Committee proposes that 17.50.809(16) be deleted from the rule.

Licensees feel that the rule will allow county agents to arbitrarily eliminate disposal sites based upon surrounding homeowner objections to the practice, regardless of the licensees ability to operate the site in accordance with current laws and rules.

Motion: A motion was made to revise the language in **ARM 17.50.812(2)** to include the requirement to provide 48-hour notification prior to a site inspection and include the language “during normal business hours”. Licensee’s feel that advance notification is needed to ensure that they are available since many of the sites are located long distances from the place of business. George Scriba and Mary Hendrickson indicated that the purpose of inspecting was to ensure that licensee’s are operating in accordance with rule requirements and that advance notice defeats the purpose of performing the inspections. They also stated that typical field inspection practices included a drive-by of the site then a call to the licensee. The Committee suggested that the phrase be revised to include the language “during normal business hours” and “upon the presentation of proper credentials”. The 48-hour notification discussion was tabled for later consideration. The motion to include the language “during normal business hours” was passed.

Motion: A motion was made to revise the quarterly reporting requirements in **ARM 17.50.813** to a schedule to be determined by the Department. The licensee’s indicated that an annual report on a staggered schedule by region may be more easier for the licensee’s to submit and for the Department to review. The licensee’s indicated that they would understand that once yearly reports would require that they maintain records as required and have them ready to send once they receive notification from the Department that their records are due. The Committee agreed that different language should be suggested and tabled the issue for later discussion.

Motion: A motion was made to strike the language in **ARM 17.50.811(9)**. Licensee’s feel that the requirement to screen is impracticable. Mary Hendrickson indicated that the reason the screening requirement was included in the rule revision was that one of the biggest complaints the Department has received is that litter is not being removed from the land application sites. The motion to strike the language in **ARM 17.50.811(9)** passed.

The issue of 3rd party liability with workmen’s compensation arose during a discussion of the requirements for a splash plate/spreader bar on trucks. Licensee’s are concerned about the liability associated with the setup and removal of a splash plate or spreader bar. The issue has been tabled for later discussion.

The issue of complaints and violations came up with a question concerning the Committee’s ability to review complaints and violations. DEQ staff indicated that Enforcement Division personnel would be invited to the June 11, 2004 meeting to present statistics on current actions. The question will be answered at that meeting by DEQ staff after discussion with Legal.

Motion made to dismiss, seconded. Meeting dismissed at 2:45 pm

Meetings scheduled: June 11, 2004 @ 1:30 pm – DEQ Metcalf Building, Room 111
October 8, 2004 @ 1:30 pm – DEQ Metcalf Building, Room 111

Agenda Items for June 11, 2004 Meeting:

- Discuss need for DEQ Enforcement Representative on Committee
- DEQ Enforcement to present current STP complaint/violation status
- DEQ Subdivision Review Staff to meeting to discuss review of septic systems and final fate of wastes
- Development of Committee Mission Statement
- Discussion of proposed rule changes and development of comments to DEQ before 6/30/04 deadline